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Subject: Outstanding Round 2 Report Issues
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Jim, Rick and Lisa, thank you for the opportunity to discuss the list of outstanding issues relative to the Round 2 Report. It was very helpful to hear your clarifications. We went over the proposed resolution with our project team at our September 27, 2006 TCT Meeting. In general, the proposed approaches are acceptable as described during our Tuesday meeting. The key exception to this is the approach for developing EPCs for wildlife; EPA does not believe that an assumption of site wide exposure is appropriate for all wildlife receptors. In addition, EPA requests that the initial PRG/SL matrix table that we discussed and additional information about the dietary exposure pathway and the development of BSAFs be provided to EPA prior to submittal of the Round 2 Report.

I have summarized EPA's position on each of the issues identified in my September 19, 2006 email. Please review the summary below and confirm that this is acceptable to the LWG. The August 24, 2006 Issue Summary Table is probably the vehicle for this and should be revised accordingly.

LOE and Weight of Evidence Framework: EPA understands that all LOE will be evaluated in the Round 2 Report and that the LOE will be weighted qualitatively for the purpose of identifying data gaps. This is acceptable to EPA. However, please note that EPA expects that this evaluation will be presented in the report in a "transparent" manner as we discussed on Tuesday and that to the extent possible, all LOE will be evaluated quantitatively.

Development of Initial PRGs: EPA understands that screening levels (SLs) will be developed for all LOE. However, only one initial PRG will be developed for each receptor group. These initial PRGs will be chemical and exposure pathway specific. Site specific SLs and initial PRGs will be developed based on quantitative risk calculations. As discussed at the meeting, EPA requests a table that identifies for each LOE, chemical or chemical class, receptor group and exposure pathway whether an initial PRG or screening level will be developed. In addition, EPA requests clarification about how the initial PRGs and SLs will be presented in the Round 2 Report. For example, when identifying AOPCs, will SL exceedances be considered along with initial PRGs?

Development of EPCs: This is the one area where I believe there is still some disagreement. EPA does not believe that the assumption of site-wide exposure is appropriate for all wildlife receptors. For certain receptors, the home range is much smaller than the entire site. The assumption of site-wide exposure may cause some areas to "average out" and not be shown to be a risk when in fact localized risk may be present. EPA would like to see EPCs developed for mink, merganser, sandpiper, osprey (egg only) and eagles (egg only) based on the fate and transport segments as presented by EPA in our February 17, 2006 Round 3 Scope of Work. EPA agrees that the EPCs should focus on near shore habitat. As a result, EPC only need to be developed for the near shore and Swan Island Lagoon segments.

Risk Framework for TZW: EPA understands that the risk framework for TZW will be discussed at our upcoming October 10, 2006 meeting. EPA has provided preliminary

comments.

TRVs to be used in Round 2 Report: EPA understands that the TRVs will be used per EPA direction.

Dietary Assumptions: EPA believes that the dietary exposure pathway will be a critical measure for evaluating the effects of metals and PAHs on fish and wildlife. Although EPA understands that it may not be possible to make changes in the dietary exposure pathway approach, we believe that the overall process will benefit from having the LWG inform our project team on the dietary pathway approach and data inputs prior to submittal of the Round 2 Report. As a result, EPA requests the table discussed at Tuesday's meeting.

BSAF Development: EPA believes that the development of BSAFs will also be a critical element because only a limited set of chemicals will be evaluated with the food web model. Again, EPA understands that it may not be possible to make changes in the BSAF approach. However, EPA believes that the overall process will benefit from having the LWG inform our project team on the approach prior to submittal of the Round 2 Report. A technical discussion with John Toll may be warranted to allow our project team to understand how BSAFs will be developed in the Round 2 Report.

Issue Summary Table: On August 24, 2006, EPA submitted a draft Issue Summary Table to document agreement about preparation of the Round 2 Report. EPA understands that the LWG is reviewing the table to ensure there is a common understanding of elements where we have agreement and identify those areas where further discussion is required to resolve our differences. EPA expects that the agreements reached yesterday and the proposed steps for resolving the EPC, dietary pathway and BSAF development issues outlined above will be incorporated into the table.

Thanks, Eric